



MAIL STOP
M CORRESPONDENCE
Attorney Docket No. 25582A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re Patent of:

DEC 14 2010

BABAYOFF, et al.

Conf. No.: 2062

OFFICE OF PETITIONS

Patent No.: 6,940,611

Examiner: PUNNOOSE

Issue Date: September 6, 2005

Art Unit: 2877

Title: **IMAGING A THREE-DIMENSIONAL STRUCTURE BY CONFOCAL
FOCUSSING AN ARRAY OF LIGHT BEAMS**

LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Pursuant to the guidelines of 37 CFR § 1.28(c), the Applicant hereby informs the U.S. Patent and Trademark Office that the above-captioned patent no longer qualified for Small Entity Status as of December 16, 2008. The error occurred in good faith and with no deceptive intent by the Applicant. The deficiency fees in the amount of \$490.00 are paid by check no. 9950

Respectfully submitted,

THE NATH LAW GROUP

Susanne M. Hopkins
Registration No. 33,247
Customer No. 20529

Date: December 8, 2010

THE NATH LAW GROUP

112 S. West Street, Alexandria, VA 22314
Tel: (703) 548-6284; Fax: (703) 683-8396
SMH/le



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LETTER TO EXAMINER REGARDING INACCURATE FEES PAID

Director of the U.S. Patent and Trademark Office
Attn: Maintenance Fees
2051 Jamieson Avenue, Suite 300
Alexandria, VA 22314

Dear Director:

After review of the file, Applicant submits that a Small Entity Status was asserted at the time of filing the above-identified application.

Pursuant to the guidelines of 37 CFR § 1.28(c), the Applicant hereby informs the U.S. Patent and Trademark Office that the above-identified application no longer qualifies for a Small Entity Status as of December 16, 2008. The error occurred in good faith and with no deceptive intent by the Applicant. Enclosed please find a check in the amount of the deficiency of any of the payments made to the U.S. Patent and Trademark Office as a Small Entity after December 16, 2008.

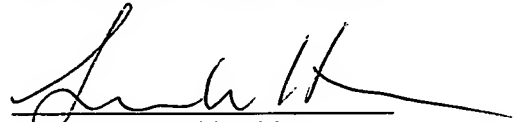
The payment for the filing of the first Maintenance Fee payment was \$490.00. The total payment for the fees as a Small Entity, which needed to be paid as a large entity, was \$490.00.

The total deficiency payment now owed is **\$490.00**, which is the deficiency owed amount for the filing of a brief in support of an appeal erroneously paid as a Small Entity, using the current fee schedule. A check for the amount of \$490.00 is attached.

Should the Patent Office have any questions, the undersigned can be contacted at the below-listed address and telephone number.

Respectfully submitted,

THE NATH LAW GROUP



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ATTACHMENT: ITEMIZATION OF THE DEFICIENCY PAYMENT

Payments made as of 12/16/2008:

Fee Type	Actual Payment	Deficiency Owed
1. Filing first Maintenance Fee	\$ 490.00	<u>\$ 490.00</u>
Paid: 03/06/2009 as a Small Entity		

TOTAL DEFICIENCY PAYMENT OWED: \$ 490.00